

HOUSE BILL 2498

By Hawk

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 5; Title 6; Title 7; Title 33; Title 37; Title 49;
Title 63; Title 68 and Title 71, relative to substance
use disorder.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 33, Chapter 10, is amended by adding
the following as a new part:

33-10-601. Short title.

This part shall be known and may be cited as the "Recovery Program for
Pregnant Women and Women with Newborns Act."

33-10-602. Part definitions.

As used in this part:

(1) "Department" means the department of mental health and substance
abuse services;

(2) "Out-patient treatment facility" means any public or private facility
providing treatment or rehabilitation services for substance use disorder in a
nonresidential setting;

(3) "Program" means the substance use disorder recovery program for
residents of this state who are pregnant women or who are women with
newborns established in § 33-10-603;

(4) "Resident of this state" means an individual who has lived
continuously in this state for a period of at least sixty (60) days and who has not
acquired residence in another state by living continuously in another state for at
least sixty (60) days subsequent to residing in this state; and

(5) "Residential treatment facility" means any public or private facility providing treatment or rehabilitation services for substance use disorder in a residential setting.

33-10-603. Creation of program.

(a) The department shall establish a recovery program for residents of this state who are pregnant women or who are women with newborns to assist pregnant women and women with newborns by providing substance use disorder treatment in residential care facilities and through home visitation services. The department shall choose residential care facilities to deliver the program's services in accordance with guidelines established by the department by rule. The department shall supervise the delivery of the program's services through residential care facilities and include a summary of the facilities' provision of services in the annual report required by § 33-10-605.

(b) To be eligible for participation in the program, a woman must:

(1) Be a resident of this state;

(2) Either:

(A) Be a pregnant woman; or

(B) Be a woman with a newborn child; and

(3) Be seeking assistance in recovering from a substance use disorder.

(c) The program must include:

(1) Treatment in a residential treatment facility or out-patient treatment facility for recovery from substance use disorder for a pregnant woman or a woman with her children, including:

(A) Addiction treatment, including, if appropriate, medication-assisted treatment with a long-acting medication approved by the federal food and drug administration for the treatment of substance use disorder;

(B) Counseling;

(C) Life skills classes;

- (D) Parenting skills classes; and
 - (E) Other services designed to prepare the woman for life with a newborn outside of the residential care facility; and
- (2) Ongoing home visits with a pregnant woman or woman with children, including the provision of:
- (A) Addiction treatment, including, if appropriate, medication-assisted treatment with a long-acting medication approved by the federal food and drug administration for the treatment of substance use disorder;
 - (B) Life skills education;
 - (C) Parenting skills education;
 - (D) Counseling; and
 - (E) Any other appropriate assistance following the woman's discharge from the residential care facility.

33-10-604. Funding of the program.

(a) The department shall actively seek and apply for any available federal or private funds to support the program.

(b) In addition to any other funding sources, public or private, the department, in coordination with the department of human services, shall use no less than fifty million dollars (\$50,000,000) annually in temporary assistance to needy families program (TANF), or any successor program providing temporary assistance, funds to support the program if such amount in funds is available to the state.

33-10-605. Annual report.

The department shall submit an annual report by January 1 each year on the success of the program, as well as any recommendations for improving the program, to

the chairs of the health and welfare committee of the senate and the health committee of the house of representatives.

SECTION 2. The headings to sections in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.

SECTION 3. For purposes of rule promulgation, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2020, the public welfare requiring it.